

**Docket No.: 0336-066
(PATENT)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:
Michel Manin**

Application No.: 10/586,847

Confirmation No.: 1554

Filed: July 20, 2006

Art Unit: Not yet Assigned

**FOR: SYSTEM FOR SEISMIC EXPLORATION A
SUBMERGED SUBSURFACE INCLUDING
IMPLANTED BASES**

Examiner: Not Yet Assigned

REPLY TO NOTICE OF DEFECTIVE RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the May 6, 2011 Notice of Notice Defective Response, Applicants submit the following arguments and respectfully request that the Notice of Defective Response be withdrawn and that a Notice of Acceptance and Official Filing Receipt be issued for this Application.

Applicants note that the above mentioned Application initially entered the National Phase in the U.S. on July 20, 2006. Applicants further note that according to PAIR (please see attached), upon entering the National Phase in the U.S. a copy of the Declaration of Inventorship from the International Application was filed. Applicants believe that this Declaration complied with 37 CFR 1.497(a) and (b) in that:

the Declaration was timely filed in accordance with PCT rule 26*ter*.1 (37 CFR 1.497(a));

the four (4) named inventor's have signed and dated the Declaration (37 CFR 1.497(a)(1));

the Declaration identified the International Application No. as PCT/IB2005/000339 (37 CFR 1.497(a)(2));

the four (4) named inventor's citizenship is clearly indicated (37 CFR 1.497(a)(3)); and

the Declaration was signed by the actual inventors (37 CFR 1.497(b)).

For these reasons, Applicants believe that the Declaration of Inventorship complied with the necessary requirements and is in accordance 37 CFR 1.497(c) and should be accepted as complying with 35 U.S.C. 3719(c)(4) and § 1.495(c) as stated in said rule. Applicants are providing a copy of the PAIR screen showing the Declaration listed as filed on July 20, 2006 and a copy of said Declaration for evidence of the filing.

If, there are any remaining unresolved issues that would prevent the Declaration from being accepted, the Examiner is urged to address the rule objections and to contact the undersigned at (540) 361-2601 in order to expedite prosecution of this application.

Respectfully submitted,

POTOMAC PATENT GROUP PLLC

By: /Remus F. Fetea/

Remus F. Fetea, Ph.D.
Registration No. 59,140

Date: May 25, 2011
Customer No. 11171
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Fredericksburg, VA 22404
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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,847	Michel Manin	10431-18

11171

Potomac Patent Group PLLC
P.O. Box 270
Fredericksburg, VA 22404

INTERNATIONAL APPLICATION NO.

PCT/IB2005/000339

I.A. FILING DATE	PRIORITY DATE
01/21/2005	01/21/2004

CONFIRMATION NO. 1554
371 FORMALITIES LETTER



0000000047516416

Date Mailed: 05/06/2011

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 07/20/2006
- Copy of the International Search Report filed on 07/20/2006
- Preliminary Amendments filed on 07/20/2006
- Information Disclosure Statements filed on 11/28/2006
- Oath or Declaration filed on 08/31/2007
- U.S. Basic National Fees filed on 07/20/2006
- Assignment filed on 10/01/2007
- Priority Documents filed on 07/20/2006
- Power of Attorney filed on 04/06/2011
- Specification filed on 07/20/2006
- Claims filed on 07/20/2006
- Abstracts filed on 07/20/2006
- Drawings filed on 07/20/2006

Applicant's response filed 04/06/2011 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/03/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Declaration document appears to be a compilation of a number of separate declaration documents (the document includes one copy of the first page, one copy of the second page, two copies of the third page, and one copy of the fourth page). Where individual declarations are executed, they must be submitted as individual declarations, with a complete listing of all inventors.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR

1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebs>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (571) 272-3892

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/IB2005/000339 (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: WEISS Peter

Residence: MARSEILLE - FRANCE
 (city and either US state, if applicable, or country)

Mailing Address: Bat E1 - 63, avenue de la Pointe Rouge - 13008 MARSEILLE - FRANCE

Citizenship: German

Inventor's Signature:
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: April 05th 2005
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: SCHOM Frédéric

Residence: MARSEILLE - FRANCE
 (city and either US state, if applicable, or country)

Mailing Address: Bat F - Les Collines de Marseilleveyre - 93, rue Floralia - 13008 MARSEILLE - FRANCE

Citizenship: Française

Inventor's Signature:
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: April 05th 2005
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/IB2005/000339 (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

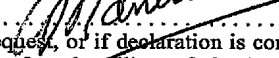
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: **MANIN Michel**

Residence: **SAINT-MESME - FRANCE**

Mailing Address: **38, rue Saint-Pré - 78730 SAINT-MESME - FRANCE**

Citizenship: **French**

Inventor's Signature: 

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: **29/06/2005**

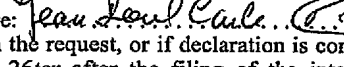
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: **CARLE Jean-Paul**

Residence: **CHILLY - FRANCE**

Mailing Address: **Cumilleux - 74270 CHILLY - FRANCE**

Citizenship: **French**

Inventor's Signature: 

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: **28/06/2005**

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

10/586,847 System for Seismic Exploration A Submerged Subsurface Including Implanted Bases 05-25-2011::10:32:39

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.

Bibliographic Data

Mail Room Date	Document Code	Document Description	Document Category	Page Count
05-06-2011	371.RES.DEF	371 Defective Response - Form M916	PROSECUTION	2
05-06-2011	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
05-06-2011	OA.EMAIL	Email Notification	PROSECUTION	1
04-06-2011	PA..	Power of Attorney	PROSECUTION	1
04-06-2011	R3.73B	Assignee showing of ownership per 37 CFR 3.73(b).	PROSECUTION	2
04-06-2011	C.AD	Change of Address	PROSECUTION	2
04-06-2011	N417	EFS Acknowledgment Receipt	PROSECUTION	2
03-14-2011	PA..	Power of Attorney	PROSECUTION	1
03-14-2011	R3.73B	Assignee showing of ownership per 37 CFR 3.73(b).	PROSECUTION	1
03-14-2011	N417	EFS Acknowledgment Receipt	PROSECUTION	2
10-15-2009	EBCC.AD	Notice of Change of Address placed in File Wrapper due to EBC Customer Number update	PROSECUTION	1
02-07-2008	NTC.PUB.DATE	Notice of New or Revised Publication Date	PROSECUTION	1
08-31-2007	PEFR	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION	2
08-31-2007	XT/	Extension of Time	PROSECUTION	1
08-31-2007	OATH	Oath or Declaration filed	PROSECUTION	5
04-03-2007	M905	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
03-31-2007	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
03-31-2007	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
03-31-2007	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
11-28-2006	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	4
11-28-2006	FOR	Foreign Reference	PRIOR ART	13
11-28-2006	FOR	Foreign Reference	PRIOR ART	31
11-28-2006	NPL	NPL Documents	PRIOR ART	5
11-28-2006	NPL	NPL Documents	PRIOR ART	3
11-28-2006	NPL	NPL Documents	PRIOR ART	2
07-20-2006	TRNA	Transmittal of New Application	PROSECUTION	5
07-20-2006	SPEC	Specification	PROSECUTION	16
07-20-2006	CLM	Claims	PROSECUTION	5
07-20-2006	ABST	Abstract	PROSECUTION	2
07-20-2006	DRW	Drawings-only black and white line drawings	PROSECUTION	5
07-20-2006	A.PE	Preliminary Amendment	PROSECUTION	1
07-20-2006	SPEC	Specification	PROSECUTION	1
07-20-2006	CLM	Claims	PROSECUTION	5
07-20-2006	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
07-20-2006	371P	Documents submitted with 371 Applications	PROSECUTION	4

07-20-2006	371P	Documents submitted with 371 Applications	PROSECUTION	27
07-20-2006	ABST	Abstract	PROSECUTION	2
07-20-2006	SPEC	Specification	PROSECUTION	16
07-20-2006	CLM	Claims	PROSECUTION	5
07-20-2006	DRW	Drawings-only black and white line drawings	PROSECUTION	5
07-20-2006	ABST	Abstract	PROSECUTION	2
07-20-2006	P.210.IN	ISA/210 - ISR, 237 and References from IB	PROSECUTION	3
07-20-2006	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	36
07-20-2006	OATH	Oath or Declaration filed	PROSECUTION	2

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